



# CALIFORNIA STATE BOARD OF EDUCATION

## JULY 2004 AGENDA

### ☒ General Waiver

<b>SUBJECT</b>  Request by <b>Santa Cruz City Schools</b> to waive <i>Education Code (EC)</i> Section 52522(b) to increase from 5 percent to 7 percent the proportion of their adult education state block entitlement that may be used to implement approved adult education innovation and alternative instructional delivery programs.  Waiver Number: 6-4-2004	<input checked="" type="checkbox"/> <b>Action</b>
	<input checked="" type="checkbox"/> <b>Consent</b>

### RECOMMENDATION

☐ Approval ☒ Approval with conditions ☐ Denial

That EC 33051(c) will apply and the district will not be required to reapply annually if information contained on the request remains the same.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The first request for waiver of *EC* Section 52522(b) to increase from 5 percent to 7 percent the proportion of a district's adult education state block entitlement that may be used to implement approved adult innovation and alternative instruction delivery programs was received and approved in June 2001. In March 2002 the State Board of Education (SBE) took formal action to approve a waiver guideline policy that includes four provisions and a special consideration for waiver renewal requests. In May 2004 the board expressed comfort with allowing EC 33051(c) to apply.

### SUMMARY OF KEY ISSUES

In 1993 the California Legislature passed *EC* Section 52522 permitting the Superintendent of Public Instruction to approve adult school plans to spend up to 5 percent of their block entitlement on innovation and alternative instructional delivery. Application requirements include reimbursement and accountability worksheets for all courses. The California Department of Education (CDE) per *EC* Section 52515 must approve courses, and certification of an approved attendance accountability system is required. All ten mandated adult education program areas are eligible, however the majority of approved applications offer coursework in Elementary Basic Skills, English as a Second Language, Citizenship, and Parent Education.

Increased access to instruction for hard-to-serve adults is a basic tenet of adult education innovation and alternative instructional delivery programs. Checking out video and print materials, a decidedly low-cost, low-tech approach, has been the most prevalent intervention, however approved alternative instructional delivery modes also include live cable broadcast; audio check out, text, workbook and study packet assignments; and computer-based delivery.

The SBE adopted waiver guidelines in March 2002 for local education agencies (LEAs) that apply for a waiver to increase the percentage of their state block entitlement expendable for innovation and alternative instructional delivery from 5 percent to an amount not greater than 7 percent.

Santa Cruz City Schools has submitted all items requested in the SBE waiver guidelines (see below) and the review of documentation supports waiver approval. The Department recommends approval under EC 33051(c).

**WAIVER GUIDELINES SUMMARY OF KEY ISSUES:**

The waiver request includes the following:

1. Verification that all other requirements of the Adult Education Program in the LEA are in current statutory compliance.

☒ Approval      ☐ Denial

Santa Cruz City School's verification has been submitted and is on file.

2. Verification that the ratio of average daily attendance for adult education innovation and alternative instructional delivery of pupils to certificated employees responsible for adult education innovation and alternative instructional delivery shall not exceed the equivalent ratio of pupils to certificated employees for all other adult education programs operated by the district.

☒ Approval      ☐ Denial

The established teacher-to-student ratio for Distance Learning is 1:23 and the target ratio in other Adult Education Innovation and Alternative Delivery programs is 1:21.

Santa Cruz City School's verification has been submitted and is on file.

3. Verification that the district's prior three-year history for annual apportionment indicates growth, stability, or not more than a 4.5 percent decline per year. Changes in the number of students with limited access that may support overall ADA loss in the regular adult education state apportionment program must be documented.

☒ Approval      ☐ Denial

Santa Cruz City School, verification indicates stability within the prior three-year history for annual apportionment as well as yearly growth.

4. A request for an increase from **5 percent to an amount not greater than 7 percent** of the amount of the adult block entitlement that may be used for innovation and alternative instructional delivery programs to include a description of the program and a rationale for change. Information and documentation in all of the following three areas is required:

- Increase In Number of Students with Limited Access to Traditional Education Options

Santa Cruz City School's verification of increase in the student population with limited access to traditional education options has been submitted and is on file.

☒ Approval      ☐ Denial

- Increase In Program Capacity

Santa Cruz City School's verification of increased program capacity has been submitted and is on file.

☒ Approval      ☐ Denial

- Improved Student Assessment Documentation

Santa Cruz City School's verification of improved student assessment documentation has been submitted and is on file.

☒ Approval      ☐ Denial

**Authority for Waiver:** *Education Code (EC) Section 33050*

**Bargaining unit(s) consulted on date(s):** February 10, 2004

Position of bargaining unit(s) (choose only one):

☐ Neutral      ☒ Support      ☐ Oppose

Name of bargaining unit/representative(s): Lois Dickman,

**Public hearing identified by (choose one or more):**

☐ posting in a newspaper      ☒ posting at each school      ☐ other (specify)

**Public hearing held on date(s):** March 24, 2004

**Local board approval date(s):** March 24, 2004

**Advisory committee(s) consulted:** Santa Cruz City School's Adult Education Leadership Team

**Objections raised (choose one):** ☒ None      ☐ Objections are as follows:

**Date(s) consulted:** February 10, 2004

**Period of request:** July 1, 2003-June 30, 2004

**FISCAL ANALYSIS (AS APPROPRIATE)**

In good faith all deadlines were met for fiscal year 2003–2004, however July, 2004, was the first available calendared SBE meeting for considering this waiver request.

Approval adjusts the percentage within the district's fixed adult education block entitlement that may be used to implement approved adult innovation and alternative instruction delivery programs. No additional funding would result from approval of this waiver request.

**BACKGROUND INFORMATION**

Consent Item: Backup materials, waiver request forms and supporting documents are not available for web viewing but are available for inspection in the Waiver Office.